

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
518-471-4777

SESSION CALENDAR FOR THURSDAY, AUGUST 19, 2021

1:00 P.M. SESSION

E L Y C L A R E

BENCH POSITION: AARONS, J., LYNCH, J., EGAN JR., J.P., CLARK, J., REYNOLDS FITZGERALD, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(1)	531423	<b>GROUT v VISUM DEVELOP. GROUP LLC</b> <b>Appellant</b> - Jonathan R. Tantillo, Esq. Knauf Shaw LLP (Susanne Dennis) <b>Appellant</b> - Russell E. Maines, Esq. Maines Firm, PLLC (Brian H. Grout) <b>Respondent</b> - John A. Mancuso, Esq. Weaver Mancuso Brightman PLLC (Visum Development LLC) <b>Respondent</b> - Robert A. Sarachan, Esq. Office of the City Attorney City of Ithaca, et al.	10 10 10 10
(2)	531109	<b>SMALL v YEZZI</b> <b>Appellant</b> - Jennifer Rutkey, Esq. Gordon, Tepper & DeCoursey (Michael Yezzi) <b>Respondent</b> - Melody A. Mackenzie, Esq. (Jennifer Small)	10 10
(3)	532206	<b>MATTER OF SCHERZI v WHITE</b> <b>Petitioner</b> - James P. Youngs, Esq. Hancock Estabrook (Scherzi Systems, LLC) <b>Respondent</b> - Allyson B. Levine, Esq. AG Letitia James	10 10

State of New York  
 Supreme Court, Appellate Division  
 Third Judicial Department  
 518-471-4777

SESSION CALENDAR FOR THURSDAY, AUGUST 19, 2021

1:00 P.M. SESSION

E L Y C L A R E

BENCH POSITION: AARONS, J., LYNCH, J., EGAN JR., J.P., CLARK, J., REYNOLDS FITZGERALD, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(4)	530944	<b>MATTER OF SPENCE v NEW YORK STATE DEPT. OF CIVIL SERV.</b> <b>Appellant - Edward J. Greene Jr., Esq.</b> Public Employee Federation (Wayne Spence) <b>Respondent - Laura Etlinger, Esq.</b> AG Letitia James (New York State Department of Civil Service)	10  10
(5)		<b>REMOVED</b>	
(6)	530994/ 531613	<b>DAVIES v S.A. DUNN &amp; CO. LLC</b> <b>Appellant - Michael G. Murphy, Esq.</b> Beveridge & Diamond, P.C. (S.A. Dunn & Company, LLC) <b>Respondent -Matthew Z. Robb, Esq.</b> Liddle & Dubin, P.C. (Brenda and Greg Davies)	10  10
(7)	532402	<b>FAY v TROY CITY SCHOOL DIST.</b> <b>Appellant - Anthony J. Fasano, Esq.</b> Guercio & Guercio, LLP (Troy City School, et al.) <b>Respondent - Peter Balouskas, Esq.</b> Martin Harding & Mazzotti, LLP (Kelly L. Fay)	10  5
(16)	533784	<b>MATTER OF FACTEAU v CLINTON COUNTY BOARD OF ELECTIONS</b> <b>Appellant Pro Se - Reginald H. Facteau</b> <b>Appellant Pro Se - Richard Donah</b> <b>Respondent - Jacqueline Kelleher, Esq.</b> <b>Respondent - Thomas Murnane, Esq.</b>	5 5 SUB SUB

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
518-471-4777

SESSION CALENDAR FOR THURSDAY, AUGUST 19, 2021

1:00 P.M. SESSION

E L Y C L A R E

BENCH POSITION: AARONS, J., LYNCH, J., EGAN JR., J.P., CLARK, J., REYNOLDS FITZGERALD, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(8)	111027	PEOPLE v USHAWN CHANEY	SUB
(9)	527966	PEOPLE v EDWARD ODELL (SORA)	SUB
(10)	111882	PEOPLE v ELADIO BOUDIER	SUB
(11)	110683	PEOPLE v DASHAU TITTENSOR	SUB
(12)	110484	PEOPLE v WILLIAM F. BLANKENBAKER JR.	SUB
(13)	532410	MATTER OF FLOWERS v ALKEM PLUMBING INC.	SUB
(14)	532098	MATTER OF BIGDOSKI v BAUSCH & LOMB	SUB
(15)	530688	MATTER OF LEDUC v NORTHEASTERN CLINTON CENT. SCHOOL DIST.	SUB